

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



October 4, 1999

ALL-COUNTY LETTER NO. 99-80

TO: ALL COUNTY WELFARE DIRECTORS
ALL WELFARE-TO-WORK COORDINATORS

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order
- ☒ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

SUBJECT: USE OF TANF FUNDS TO PROVIDE SERVICES TO
PERSONS WITH LEARNING DISABILITIES

REFERENCE: MANUAL OF POLICIES AND PROCEDURES (MPP) SECTION 42-711.58
ALL-COUNTY LETTER 98-41
ALL-COUNTY LETTER 99-32

The purpose of this letter is to provide clarification to counties about the California Work Opportunity and Responsibility to Kids (CalWORKs) Welfare-to-Work Program regulations and policies regarding activities and services for program participants with learning disabilities. The intent of these regulations and policies is to ensure: 1) that individuals with learning disabilities obtain a professional evaluation and appropriate assistance to help them participate in CalWORKs to become employed and self-sufficient; and 2) that efforts in this area are consistent with the intent of the Legislature for counties to use CalWORKs funds to screen, assess, and provide services to recipients with learning disabilities, or for counties to use the services of appropriate agencies to perform those functions. These agencies may include, but are not limited to, community colleges and adult education programs.

Manual of Policies and Procedures (MPP) Section 42-711.58 requires county welfare departments (CWDs) to refer welfare-to-work participants with a suspected learning problem to an evaluation. This referral should be based on information received during appraisal or assessment or when an individual fails to make satisfactory progress in an assigned program activity. As part of the evaluation, counties may have participants take appropriate examinations to obtain information regarding the learning abilities of the participant so that the CWD can determine whether the participant is able to successfully complete or benefit from participation in a CalWORKs welfare-to-work assignment. Should a client refuse to go to the evaluation or take the appropriate examinations, he/she will be expected to comply with all welfare-to-work program requirements,

including the requirements to make satisfactory progress in his/her assigned activity and to participate for an average of 32 hours per week. The client's failure to do so will subject him/her to the good cause determination, compliance, and sanctioning process, as appropriate.

If the county determines based on the results of the evaluation, that the individual can continue to participate in the CalWORKs Welfare-to-Work Program, the CWDs may refer the participant to the following activities, as appropriate, pursuant to MPP Section 42-711.581:

- 1) Any allowable CalWORKs welfare-to-work activity, including referrals to the participant's previous activities;
- 2) Existing special programs that meet the specific needs of the participant;
- 3) Job search services, if the CWD determines that the participant has the skills needed to become employed in the local labor market;
- 4) CalWORKs assessment or reappraisal; and
- 5) Rehabilitation assessment and subsequent training.

In the initial CalWORKs Welfare-to-Work Program regulations package, transmitted in All-County Letter 98-41, dated July 1, 1998, MPP Section 42-711.58 did not specify who is to conduct the evaluation of a participant with a suspected learning disability. The California Department of Social Services (CDSS) has amended MPP Section 42-711.58 to require that the evaluation be conducted by a professional whose training qualifies him/her to determine if a participant can complete or benefit from participation in CalWORKs welfare-to-work activities. The amended regulation is part of the final CalWORKs Welfare-to-Work Program regulations package that became effective on September 13, 1999, and is now being sent to the counties. In accordance with the amended regulation, counties should be utilizing qualified individuals to complete the evaluations, so that CalWORKs recipients with learning disabilities can receive the activities and services that are the most suitable for meeting their needs.

The Department also would like to remind counties of the recently-issued policy regarding CalWORKs Welfare-to-Work Program participants in approved self-initiated programs (SIP) who are evaluated as individuals with learning disabilities. Pursuant to All County Letter 99-32, dated April 29, 1999, CWDs must count these participants' hours in special classes or tutorials toward their 32-hour SIP participation requirement, if the classes or tutorials have been determined by the participants' educational institution to be necessary to mitigate barriers to the successful completion of the SIP.

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If you have any questions concerning this matter, please contact Walter Johnson, Program Analyst, Employment Bureau, at (916) 657-5039.

Sincerely,

***Original Document Signed By
Bruce Wagstaff on 10/4/99***

BRUCE WAGSTAFF
Deputy Director
Welfare to Work Division